

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING  
OF  
TUESDAY, OCTOBER 8, 1991  
AT 9:00 A.M.  
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor O'Connor at 10:30 a.m.  
The meeting was recessed by Mayor O'Connor at 12:00 p.m. to  
reconvene at 2:00 p.m.

The meeting was reconvened by Mayor O'Connor at 2:01 a.m. without  
a quorum. A quorum was present at 2:02 p.m. with Council Members  
Wolfsheimer, Roberts, Pratt, and McCarty not present. Mayor  
O'Connor adjourned the meeting at 8:43 p.m. to convene the  
Housing Authority in Close Session in the 12th Floor Conference  
Room to discuss a personnel matter.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-Present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member Hartley-present
- (4) Council Member Pratt-excused by R-278915  
(out-of-town business)
- (5) Council Member Behr-present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-present
- (8) Council Member Filner-present
- Clerk-Abdelnour/Fishkin (so,rb)

FILE LOCATION: MINUTES

ITEM-300: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor O'Connor-present

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- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member Hartley-present
- (4) Council Member Pratt-not present
- (5) Council Member Behr-present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-present
- (8) Council Member Filner-present

ITEM-100: (R-92-504) ADOPTED AS RESOLUTION R-278778

Declaring the results of the Municipal Primary Election held in the City of San Diego, Council Districts 2, 4, 6 and 8, on Tuesday, September 17, 1991.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A030-043.)

MOTION BY HENDERSON TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-not present, Behr-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-206: (R-92-216 Rev.1) ADOPTED AS AMENDED AS  
RESOLUTION R-278779

(Continued from the meeting of September 9, 1991, Item 140, at Councilmember Wolfsheimer's request, for a report from the City Manager regarding the current policy and how it was developed.)

Encouraging the Metropolitan Transit Development Board to implement the recommendation outlined in Assembly Resolution No. 19 to allow off duty police officers, sheriffs, undersheriffs, and deputy sheriffs of a county in which the public transportation systems operates to use the public transportation system without charge.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A054-193.)

Motion by McCarty to deny. Second by Wolfsheimer. Failed. Yeas-1,7. Nays-2,3,5,6,8,M. Not present-4.

MOTION BY ROBERTS TO ADOPT, ALLOWING THIS ACTIVITY ON THE PART OF THE POLICE DEPARTMENT, AND ACKNOWLEDGE ANY POLICIES

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THAT NEED TO BE AMENDED. Second by Henderson. Passed by the following vote: Wolfsheimer-nay, Roberts-yea, Hartley-yea, Pratt-not present, Behr-yea, Henderson-yea, McCarty-nay, Filner-yea, Mayor O'Connor-yea.

ITEM-215: CONTINUED TO OCTOBER 22, 1991

(Continued from the meeting of September 16, 1991, Item 200, at the City Manager's request, in order to be discussed in conjunction with the management audit.)

In the matter of the selection process of the Planning Director.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: H300-312.)

MOTION BY WOLFSHEIMER TO CONTINUE ITEMS 215 AND 332 TO OCTOBER 22, 1991, AS RECOMMENDED BY THE CITY MANAGER DUE TO LACK OF TIME. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-not present, Behr-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-310: PROCLAIMED

Proclaiming October 14 - 20, 1991 to be "B'nai B'rith Women's Outreach Week for the Awareness and Prevention of Violence" in San Diego and urging everyone to learn about the ravages of domestic violence in our society and the means of inhibiting its occurrence.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A030-043.)

ITEM-330: CONTINUED TO NOVEMBER 12, 1991, AT 10:00 A.M.

Matter of the following actions for Park Plaza Case-90-0236:

1) Request to amend the Gaslamp Quarter Planned District Ordinance (Section 103.0407 of the San Diego Municipal Code), to allow a building height exception

up to 315 feet with an FAR up to 7.3 for the parcel bounded by Fourth Avenue, "K" Street, Fifth Avenue and the Linear Park/MTDB right-of-way, if all other relevant design criteria of the Gaslamp Quarter Planned District Ordinance are met and if an Owner Participation Agreement is entered into between the property owner and the Redevelopment Agency.

2) If the ordinance amendment is introduced and if the Park Plaza permits receive conceptual approval, the Council will consider the issuance of Resource Protection and Gaslamp Quarter Permits Case-90-0236 for the limited purpose of allowing immediate demolition of buildings and structures on the site including two historic buildings (T. M. Cobb Warehouses).

The total property under consideration and where all permits apply is located south of "K" Street between Fifth and Third Avenues, north of Linear Park/MTDB right-of-way and is further described as Lots A, B, H, I, J, K and L and portions of Lots C and D, Block 140, Horton's Addition and portions of Lots A, K and L, Block 141, Horton's Addition. The site is within the Gaslamp Quarter, Centre City Community Plan area and partially within the Marina Planned District.

(Case-90-0236. District-2.)

Subitem-A: (R-92-16)

Adoption of a Resolution certifying that the information contained in Environmental Impact Report DEP-90-0236 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council and adopting appropriate findings of mitigation, feasibility or project alternatives; statement of overriding considerations; and Mitigation Monitoring and Reporting Program, pursuant to California Public Resources Code Section 21081.

Subitem-B: (O-92-3)

Introduction of an Ordinance amending the San Diego Municipal Code.

Subitem-C: (R-92- )

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Adoption of a Resolution granting or denying the  
Resource Protection Permit, with appropriate findings  
to support Council action.

Subitem-D: (R-92- )

Adoption of a Resolution granting or denying the  
Gaslamp Quarter Planned District Permit, with  
appropriate findings to support Council action.

FILE LOCATION: LAND-Gaslamp Quarter Planned District

COUNCIL ACTION: (Tape location: A206-B707; C107-E330.)

Hearing began at 10:50 and recessed at 12:00 p.m.

Testimony in favor by L. Wolfsheimer, Jeremy Cohen, Bud  
Fischer, Cathy Anderson, Pam Monasee, Paul Olsen, Walter

Drucker, Martin Poirier, Ben Harroll, Morris Slayen, Ethan  
Feerst, Larry Black, Tom Anglewicz, Jack Berkman, Frank  
Wolden, Laura Warner, Leon Herrick, Eve Hager, Jennifer  
Hankins, Bruce Dammann, Thomas Fitzpatrick, Tom Marquis,  
Mark Fehlman, Brad Will, Gary London, James Milch.

MOTION BY ROBERTS TO CONTINUE TO NOVEMBER 12, 1991 TO ALLOW  
HIM AN OPPORTUNITY TO MEET WITH PAM HAMILTON AND WHATEVER  
STAFF SHE FEELS IS APPROPRIATE, ALONG WITH THE PROPONENTS OF  
THE PROJECT, TO SEE IF SOME ALTERNATIVES COULD BE DEVELOPED  
THAT WOULD WORK WITH RESPECT TO CCDC AND SOME OF THE OTHER  
GROUPS, AS WELL AS WORK FOR THE DEVELOPERS, TO SEE THAT A  
SIGNIFICANT AND MAJOR OPPORTUNITY FOR DOWNTOWN IS NOT LOST.  
DIRECT STAFF TO RETURN WITH A REPORT ON ALTERNATIVE USES FOR  
THIS SITE. Second by Behr.

(Motion trailed to the afternoon for vote.)

Hearing resumed at 2:10 p.m. and recessed at 2:12 p.m.

Hearing resumed at 2:13 p.m. and halted at 3:49 p.m.

Testimony in favor by April Digman and Frank Walden.

Testimony in opposition by Tom Carter, Frederick Marks,  
Sharilyn McSwan, Carol Lindemulder, Suzanne Lawrence, Bill  
Evans, David Swarens, Kathleen Porter, Paul Johnson, Sharon  
Siefert, Vonn Marie May, Scott Bernet, Kacey Coony, Stephen  
Pringle, Ione Stiegler, Shelton Dreeland, Robert Sinclair,  
and Linda Michael.

MOTION BY ROBERTS TO CONTINUE THE ITEM TO NOVEMBER 12, 1991

AT 10:00 A.M. AND TO ACCEPT COUNCIL MEMBER HARTLEY'S DIRECTION TO THE CITY MANAGER TO REPORT BACK TO COUNCIL WITH RECOMMENDATIONS AND ASSESSMENTS TO THE FOLLOWING POLICY QUESTIONS RAISED: 1) WHAT ARE THE PLANS FOR DEALING WITH THE ISSUES OF THE HOMELESS, PANHANDLERS, AND THE CRIME PROBLEM IN THE AREA; 2) WHAT PLANS EXISTS TO PROMOTE GASLAMP TO INCLUDE MORE HOUSING AND BUSINESSES IN THE AREA. Second by Behr. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-not present, Behr-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-331: (R-92-278) ADOPTED AS RESOLUTION R-278798

(Continued from the meeting of September 24, 1991, Item 332, at Councilmember Henderson's request, on behalf of Deputy Mayor Filner.)

Authorizing the City Manager to withdraw the City of San Diego's \$1.25 million Section 108 Loan Guarantee Application and file a new Section 108 Loan Guarantee

Assistance Application, with the United State Department of Housing and Urban Development (HUD), in the amount of \$5,120,000 for the purpose of obtaining a Section 108 loan for the San Diego Mercado project; authorizing the City Manager to file an amendment to the executed Urban Development Action grant (UDAG) agreement between HUD and the City reflecting a change in the project developer, site, scope of development and schedule.

(See City Manager Report CMR-91-362. Barrio Logan/Harbor 101 Community Area. District-8.)

COMMITTEE ACTION: Reviewed by RULES on 8/7/91. Recommendation to approve the City Manager's recommended actions. Districts 1, 4 and 8 voted yea. District 7 and Mayor not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: H313-394.)

MOTION BY FILNER TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-not present, Behr-not present, Henderson-yea, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

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ITEM-332: (R-92-395) CONTINUED TO OCTOBER 22, 1991

(Continued from the meeting of September 24, 1991, Item 330, at Councilmember Henderson's request, to be heard with the companion item on the selection process.)

Accepting the City Manager's and Auditor's recommendations on the management audit of the Planning Department as provided for in City Manager Report-91-404; and referring the recommendations to the City Manager and/or Planning Director for further analysis and implementation and return to City Council with any necessary action.

(See City Manager Report CMR-91-404.)

FILE LOCATION: --

COUNCIL ACTION: (Tape location: H300-312.)

MOTION BY WOLFSHEIMER TO CONTINUE ITEM 215 and 332 TO OCTOBER 22, 1991, AS RECOMMENDED BY THE CITY MANAGER DUE TO LACK OF TIME. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-not present, Behr-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-333: CONTINUED TO OCTOBER 21, 1991

Matter of the appeal of Randolph, Louise and Parviainen Groon, by Leon E. Campbell, Attorney in Fact, from the decision of the Planning Commission in granting La Jolla Shores, Coastal Development and Sensitive Coastal Resource Permits LJS, CDP and SCR-89-1235 (Simms Residence), proposing to construct a two-story, 10,450 square-foot, single-family home, including a subterranean level. The subject property, a 15,965 square-foot gross site area is located at 8406 El Paseo Grande, in a single-family zoned site, in the La Jolla Shores Community Plan area. The subject property is more particularly described as a portion of Pueblo Lot 1281, Miscellaneous Map-36 and Map-2615.

(LJS, CDP & SCR-89-1235. District-1.)

Subitem-A: (R-92- )

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-89-1235 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (R-92- )

Adoption of a Resolution granting or denying the appeal and granting or denying the permits, with appropriate findings to support Council action.

FILE LOCATION: PERM-LJS,CDP&SCR-89-1235

COUNCIL ACTION: (Tape location: H453-J273.)

Hearing began at 5:59 p.m. and halted 7:09 p.m.

Mayor O'Connor closed the public testimony. Motion by Wolfsheimer to uphold the appeal and deny the project because findings cannot be made that the character is compatible with the nature of the surrounding area in terms of bulk and scale, it is not visually compatible with the surrounding areas, and a coastal permit finding cannot be made. No second.

Motion by Henderson to certify the Negative Declaration, deny the appeal and approve the permit making findings as where made by the Planning Director and the Planning Commission. Second by Hartley. Failed. Yeas: 2, 3, 6, 7. Nays: 1, 5, 8, M. Not Present: 4

MOTION BY WOLFSHEIMER TO CONTINUE THE ITEM TO OCTOBER 21, 1991, FOR FULL COUNCIL. Second by Mayor O'Connor. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-nay, Pratt-not present, Behr-yea, Henderson-nay, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-334:

(Continued from the meeting of September 24, 1991, Item 335, at Councilmember Henderson's request, for Deputy Mayor Filner.)

Appeal of Robert J. Krause, S.P.E. Corporation, by Richard A. Rubin of Sholders & Sanford, Inc., from the decision of the Planning Commission in denying TM, PIRD



& RPO-87-1098 (River Trails Project). The project would develop approximately 10.5 acres of residential and open space uses within the Coastal Zone and 100-year floodplain of the Tia Juana River. The project proposes 45 detached single-family dwelling units on 6.65 acres of fill material and is located on the west side of Hollister Street between Sunset and Tocayo Avenues, in Zone R1-5000, in the Otay Mesa-Nestor Community Plan area. The subject property is further described as Lot 75 of Sunrise Addition Unit 3, Map-10832.  
(TM, PIRD/RPO-87-1098. Otay Mesa-Nestor Community Area. District-8.)

Subitem-A: (R-92-930) ADOPTED AS RESOLUTION R-279182,  
DENIED CERTIFICATION OF E.I.R.

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-87-1098 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council and adopting appropriate findings of mitigation, feasibility or project alternatives and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

Subitem-B: (R-92-611) ADOPTED AS RESOLUTION R-278799,  
DENIED APPEAL AND MAP

Adoption of a Resolution granting or denying the appeal and granting or denying the map, with appropriate findings to support Council action.

Subitem-C: (R-92-612) ADOPTED AS RESOLUTION R-278800,  
DENIED APPEAL AND PERMIT

Adoption of a Resolution granting or denying the appeal and granting or denying the PIRD permit, with appropriate findings to support Council action.

Subitem-D: (R-92-613) ADOPTED AS RESOLUTION R-278801,  
DENIED APPEAL AND PERMIT

Adoption of a Resolution granting or denying the appeal and granting or denying the RPO permit, with appropriate findings to support Council action.

FILE LOCATION: SUBITEMS-A&C: PERM PIRD-87-1098;  
SUBITEM-B: SUBD-River Trails Project;

SUBITEM-D: PERM RPO-87-1098

COUNCIL ACTION: (Tape location: J294-K329.)

Hearing began at 7:10 p.m. and halted at 7:54 p.m.

Testimony in favor by Lynne Heidel and Rick Rubin.  
Testimony in opposition by Bill Wooton, David Gomez, Ruth Schieder, Lincoln Pickard, and Linda Michael.

MOTION BY FILNER TO DENY THE APPEAL AND UPHOLD THE DECISION OF THE PLANNING COMMISSION. PROJECT APPROVAL REQUIRES THAT CITY COUNCIL MAKE FINDINGS SUBSTANTIATED IN THE RECORD WHICH STATES THAT MEASURES HAVE BEEN INCORPORATED IN THE PROJECT THAT MITIGATE THE SIGNIFICANT ENVIRONMENTAL IMPACTS AND THAT THE PROJECT ALTERNATIVES ARE NOT FEASIBLE. THOSE FINDINGS CANNOT BE MADE. THE E.I.R. IS DEFECTIVE AND SHOULD NOT BE CERTIFIED. THE DEFECTIVENESS AND LACK OF ABILITY TO BE CERTIFIED COMES FROM THE FOLLOWING FACTS:

1. THE E.I.R. DOES NOT ADDRESS OFF-SITE IMPACTS OR CHANGES IN THE FOOTING CHARACTERISTICS OF THE SURROUNDING PROPERTIES, THE REPAIRING AREA MENTIONED IN THE TESTIMONY MAY BE SUBJECT TO MORE AND DEEPER INUNDATION BECAUSE OF THE PROJECT.

2. THE E.I.R. DOES NOT STATE THAT HOLLISTER STREET IS SUBJECT TO FLOODING AND THAT RESIDENCE WOULD REQUIRE ALTERNATIVE ACCESS AND THAT ACCESS IS NOT ACCOUNTED FOR.

3. THE AREA IS SUBJECT TO INTRUSIVE NOISE AND SAFETY HAZARDS AS A RESULT OF THE NEARBY U.S. NAVY MARINE FIELD. A PORTION OF THE PROPERTY, IN FACT, LIES WITHIN THE ACCIDENT POTENTIAL ZONE. THE NAVY HAS INDICATED THAT THEY DO NOT PLAN ON CLOSING THIS BASE DOWN IN THE NEAR OR DISTANT FUTURE.

4. THE PROJECT WILL REQUIRE 55,000 CUBIC YARDS OF FILL. THE E.I.R. DOES NOT ADDRESS THE NUMBER OF TRUCK TRIPS REQUIRED TO PROVIDE THIS AMOUNT OF FILL, WHICH ROUTES THESE TRUCKS WOULD TAKE TO THE PROJECT, THE DUST GENERATED, NOR THE DURATION OF THESE IMPACTS ON THE NEIGHBORHOOD.

5. THE E.I.R. FAILS TO ADDRESS ANY ALTERNATIVES OTHER THAN A NO PROJECT ALTERNATIVE. THAT IS ANY OTHER VIABLE PROJECT ALTERNATIVES THAT TAKE INTO ACCOUNT THE DEED RESTRICTIONS AND THE ZONING HAVE NOT BEEN ADDRESSED. Second by Henderson. Passed by the following vote:  
Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-not present, Behr-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-335:

(Continued from the adjourned meeting of October 1, 1991.)

Two actions relative to the Carmel Valley Facilities Benefit Assessment: (Located east of I-5 and north of Carmel Valley Road. District-1.)

Subitem-A: (R-91-2224) ADOPTED AS RESOLUTION R-278802

Designating an area of benefit in Carmel Valley; confirming the description of Public Facilities Projects, the Community Financing Plan and Capital Improvement Program with respect to the Public Facilities Projects, the method for apportioning the costs of the Public Facilities Projects among the parcels within the area of benefit and the amount of the Facilities Benefit Assessments charged to each such parcel; the basis and methodology for assessing and levying discretionary automatic annual increases in Facilities Benefit Assessments, and proceedings thereto; ordering the proposed Public Facilities Project in the matter of the Carmel Valley Facilities Benefit Assessment Area.

Subitem-B: (R-91-2225) ADOPTED AS RESOLUTION R-278803

Declaring the development impact fee schedule contained in the Carmel Valley Public Facilities Financing Plan to be an appropriate and applicable development impact fee for all properties within the Carmel Valley Community.

FILE LOCATION: STRT FB-8

COUNCIL ACTION: (Tape location: E360-376.)

Hearing began at 3:51 p.m. and halted at 3:52 p.m.

MOTION BY WOLFSHEIMER TO ADOPT AND TO STATE FOR THE RECORD THAT THE COMMITTEE HAD RECOMMENDED AND APPROVED THE MANAGER'S RECOMMENDATION WITH THE INCLUSION OF LIGHT RAIL TRANSIT FUNDING OF \$300,000 FOR ENGINEERING STUDIES, \$14,500 FOR LRT ALIGNMENT AT ROUTE 56, AND \$500,000 FOR THE EAST/WEST STREET FAIR SHARE FINANCING; AND THEN LATER ON, CHANGING COMMERCIAL AND INDUSTRIAL FEES TO DOLLARS PER SQUARE FOOT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-not present, Behr-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

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(Note: As of October 11, 1991, information recieved by the Clerk's Office indicates that this item will be reconsidered by Council on October 21, 1991.)

**ITEM-336:**

(Continued from the meeting of September 10, 1991, Item 335, at Councilmember Roberts' request, directing that this item be considered at a special hearing of the Planning Commission on 9/26/91 so conditions can be incorporated into the CUP as well as allowing time for public input; and continued from the adjourned meeting of October 1, 1991.)

The Request for a Conditional Use Permit and a Resource Protection Ordinance Permit CUP/RPP-91-0491 to allow the "Toussant Teen Center" a transitional housing facility, to locate in a designated historic site in the Mixed-Use-Residential District in Centre City. Social Service facilities are not permitted by right in this district in the downtown area. The subject property, "Eagles Hall," is located at 733 Eighth Avenue, between "F" and "G" Streets and is described as Lots C and D, Block 73 of Horton's Addition. The site is located in the Centre City San Diego Community Plan area.

(CUP/RPP-91-0491. District-2.)

Subitem-A: (R-92- ) FILED

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-91-0491 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (R-92-614) ADOPTED AS RESOLUTION R-278804,  
DENIED PERMIT

Adoption of a Resolution granting or denying the permits, with appropriate findings to support Council action.

FILE LOCATION: PERM - CUP-91-0491, RPP-91-0491

COUNCIL ACTION: (Tape location: E393-H297.)

Hearing began at 3:53 p.m. and halted at 5:49 p.m.

Testimony in favor by Father Joe Carroll, Maria Lia, Harvey Mandel, Michael J. Imhoff, Paul Revier, James Holmberg, Patricia Stevens.

Testimony in opposition by Harry Mathis, Morris Slayen, Stanley Fried, Leila Van Weelden, Les Jones, Dennis Jones, James Hughes, Darla Cash, Steven Scarvelis, Nolan Francis, Jack Pringle, Patricia Kurtz, Susan Totty, Dorothy Hom, Robert Sinclair, Jim Encecke, and Wayne Buss.

MOTION BY ROBERTS TO DENY THE REQUEST AND TO ACCEPT MAYOR O'CONNOR'S DIRECTION TO THE PLANNING DEPARTMENT TO BRING TO COUNCIL AN AMENDMENT TO THE CONDITIONAL USE PERMIT TO ELIMINATE THE THREE YEAR CRITERIA TO ALLOW THE TEEN CENTER TO REMAIN PERMANENTLY AT ITS PRESENT SITE. DIRECT THE CCDC BOARD NOT TO GO OUT WITH AN RFP UNTIL SUCH TIME AS COUNCIL HAS RESOLVED THE ISSUE OF THE TEEN CENTER WITH FATHER JOE CARROLL. TO ACCEPT MORRIS SLAYEN'S PROPOSAL TO TALK TO COUNTY SUPERVISOR GOLDING REGARDING HAVING A FARM OR COUNTY LAND AVAILABLE FOR RUN-AWAYS AND TEENAGERS THAT ARE IN TROUBLE THAT WANT THAT KIND OF EXPERIENCE. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-not present, Behr-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-337: (R-92-423) ADOPTED AS RESOLUTION R-278805

Proclaiming October 7 through 11, 1991, to be "Customer Service Week" in San Diego, to focus on and recognize the importance of the customer and the customer service profession.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C042-060.)

MOTION BY HENDERSON TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-not present, Behr-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-338: CONTINUED TO JUNE 1, 1992

(Continued from the meetings of July 30, 1991, Item 337, and September 24, 1991, Item 336; last continued

at the request of Deputy Mayor Filner, to allow him to be present.)

Proposal to adopt the Santee Investments Otay Mesa Precise Plan and rezoning portions of the planning area from Zone A-1-10 to Zone R-3000 with the Community Plan Implementation Overlay Zone (CPIOZ) Type B; R-1500 with CPIOZ Type B; R-1500; and CN as indicated in Map C-839. Existing Hillside Review Overlay Zones would remain.

The proposal is to establish precise land uses for 128.6 acres of vacant land in the Otay Mesa Community Plan area. In accordance with the adopted Otay Mesa Community Plan, the precise plan proposes a community park, a high school site, a 13-acre neighborhood commercial site and 591 medium density multi-family residential units. The precise plan also contains an alternative land use proposal for the high school site that would permit an additional 515 multi-family units within the planning area should the high school be deleted from this planning area. The subject property is located approximately one mile east of I-805 and immediately to the south of the future alignment of SR-905 within the Otay Mesa community and is more particularly described as a subdivision of portions of the northeast and southeast quarters of Section 31 and the northwest quarter of Section 32, Township 18 South, Range 1 West, S.B.B.M.

(Case-7359 & RZ-91-0136. District-8.)

Subitem-A: (R-92-149)

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-88-0403 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council and adopting appropriate findings of mitigation, feasibility or project alternatives and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

Subitem-B: (O-92-19)

Introduction of an Ordinance for R-3000 (CPIOZ); R-1500 (CPIOZ); R-1500 and CN Zoning, all with existing Hillside Review Overlay.

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Subitem-C: (R-92-148)

Adoption of a Resolution approving or denying the precise plan, with appropriate findings to support Council action.

FILE LOCATION: LAND-Santee Investments Otay Mesa  
Precise Plan

COUNCIL ACTION: (Tape location: C078-089.)

MOTION BY FILNER TO CONTINUE THE ITEM TO JUNE 1, 1992, AS REQUESTED BY LYNNE HEIDLE. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-not present, Behr-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-339:

(Continued from the meeting of September 24, 1991, Item 338, at Councilmember Henderson's request, to allow the proponents to address Mr. Hobbs concerns.)

1. A request for a tentative map for a 0.91-acre, 1-lot subdivision and a Planned Infill Residential Development Permit to construct seven single-family dwellings on property located on Pendleton Street, north of Walmar Lane and west of Soledad Mountain Road, in Zone R-1-5000, in the Pacific Beach Community Plan area. The subject property is more particularly described as Lots 1 and 2, Block 100, Pacific Beach Subdivision, Map-933.

2. A proposal to vacate a portion of Pendleton Street and a portion of Law Street as provided for under Section 66499.20-1/2 of the State Map Act, in conjunction with the proposed tentative map for Westview II (TM-90-0576).  
(TM & PIRD-90-0576. District-6.)

Subitem-A: (R-92-339) ADOPTED AS RESOLUTION R-278806

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration DEP-90-0576 has been completed in compliance with the California Environmental Quality Act of 1970, and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (R-92-615) ADOPTED AS RESOLUTION R-278807,  
GRANTED MAP

Adoption of a Resolution granting or denying the map,  
with appropriate findings to support Council action.

Subitem-C: (R-92-616) ADOPTED AS RESOLUTION R-278808,  
GRANTED PERMIT

Adoption of a Resolution granting or denying the permit  
with appropriate findings to support Council action.

Subitem-D: (R-92-338) ADOPTED AS RESOLUTION R-278809

Adoption of a Resolution authorizing the vacation of  
Pendleton Street between Soledad Mountain Road and  
Walmar Lane, and a portion of Law Street east of  
Pendleton Street, within the boundaries of Westview II  
(TM-90-0576).

CITY MANAGER SUPPORTING INFORMATION: The proposed vacation has  
been initiated by the submission of the tentative map for  
Westview II (TM-90-0576). The map proposes subdivision of 0.9165  
acres into two lots for residential development. Development of  
the site will be controlled under the related Planned Infill  
Residential Permit (PIRD-90-0576).

The subject vacation is located in the Pacific Beach  
Community Plan area and is situated in an R-1-5000 Zone.  
The area of vacation totals approximately 33,675 square  
feet, which is included in the 0.9165 acres proposed for  
subdivision and will entitle the applicant to six  
additional dwelling units. The Planning Department has no  
objection to the proposed vacation, and the Pacific Beach  
Community Planning Committee recommended approval on  
November 6, 1990, by a vote of 17-0. The Subdivision  
Board recommended approval of the development permit,  
tentative map, and street vacation on July 15, 1991, by a  
vote of 3-0.

The area-of-vacation is unimproved and not required for  
access or circulation. The right-of-way contains public  
utilities and franchise facilities for which easements  
will be provided on the final map. All public  
improvements required by the street vacation have been  
addressed by the related tentative map.

FINDINGS: Staff review has indicated that the proposed  
vacation is consistent with the General Plan, the  
community plan, and Council Policy 600-15, and may be  
vacated, conditioned upon approval of the final map. The



area is not required for present or prospective public use, and the facilities for which the right-of-way was originally acquired will not be detrimentally affected. The public will benefit from the vacation through improved utilization of the property, an increased tax base, an increase in land area designated for open space, and the full-width improvement of the south portion of Pendleton Street between Chalcedony Street and Walmar Lane.

FILE LOCATION:                   SUBITEM-A&C: PERM PIRD-90-0576;  
                                  SUBITEM-B: SUBD-WESTVIEW II; SUBITEM-D:  
                                  DEED F-5684 STRT J-2769   DEEDFY92-1

COUNCIL ACTION:               (Tape location: K337-L172.)

Hearing began at 7:54 p.m. and halted at 8:23 p.m.

Testimony in favor by Michel Anderson.

Testimony in opposition by Joan and Jack Hobbs.

MOTION BY HENDERSON TO APPROVE THE PROJECT, CERTIFY THE NEGATIVE DECLARATION, GRANT THE MAP, THE PERMIT, AND THE STREET VACATION. Second by Behr. Passed by the following vote: Wolfsheimer-nay, Roberts-nay, Hartley-yea, Pratt-not present, Behr-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

**ITEM-340:**

(Continued from the meeting of August 6, 1991, Item 338, at Councilmember Wolfsheimer's request, for the new Community Planning Group to review the plan; and continued from the adjourned meeting of October 1, 1991.)

Proposal to amend the Sabre Springs Community Plan and request for a Planned Commercial Development Permit PCD-91-0283 (amendment to PCD-88-0408) and Planned Commercial Development Permit PCD-91-0251, and Vesting Tentative Map VTM-91-0251. The Planned Commercial Development proposes to redesignate a 1.3 acre undeveloped park-and-ride site, relocating the park-and-ride site from Parcel 16 (PCD-91-0283) to the open space area to the north and adjacent to Parcel 1 (PCD-91-0251). The map proposes to subdivide an 8.5-acre site into 6 lots for the construction of commercial, retail and restaurant building resulting in 35,450 square feet.

The subject property is located on the northeast side of Poway Road and Sabre Springs Parkway, in Zone CA-RR, in the Sabre Springs Community Plan area, and is more particularly described as a portion of the north half of the northwest quarter of Section 21, Township 14 South, Range 2 West, S.B.B.M., containing Parcel 16 and Parcel 1, and is located on the northwest side of Evening Creek Drive North and Sabre Springs Parkway and is described as a portion of Rancho Los Penasquitos according to map accompanying the Paten to said Rancho Book 2, Page 385 of Patens Zoned A1-10 & CA-RR. (PCD-91-0283 and PCD-91-0251. District-5.)

Subitem-A: (R-92-100) ADOPTED AS RESOLUTION R-278810

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-90-0644 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council.

ADDITIONAL BUSINESS: (R-92-869) ADOPTED AS RESOLUTION  
R-278831

During consideration of the above regular business item, the following resolution was adopted.  
Adoption of a Resolution certifying the the information contained in Environmental Negative Declaration EMND-90-0251 and the mitigation monitoring program.

Subitem-B: (R-92-99) ADOPTED AS RESOLUTION R-278811

Adoption of a Resolution approving the plan amendment.

Subitem-C: (R-92-870) ADOPTED AS RESOLUTION R-278812,  
GRANTED PERMIT

Adoption of a Resolution granting or denying Planned Commercial Development Permit PCD-91-0283, with appropriate findings to support Council action.

Subitem-D: (R-92-871) ADOPTED AS RESOLUTION R-278813,  
GRANTED PERMIT

Adoption of a Resolution granting or denying Planned Commercial Development Permit PCD-91-0251, with appropriate findings to support Council action.

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Subitem-E: (R-92-872) ADOPTED AS RESOLUTION R-278814,  
GRANTED MAP

Adoption of a Resolution granting or denying Vesting  
Tentative Map VTM-91-0251, with appropriate findings to  
support Council action.

FILE LOCATION: SUBITEM-A&B: LAND-SABRE SPRINGS COMMUNITY  
PLAN; SUBITEM-C: PERM-PCD-91-0283; SUBITEM-D:  
PERM-PCD-91-0251; SUBITEM-E: SUBD-SABRE  
SPRINGS TOWN CENTER

COUNCIL ACTION: (Tape location: L176-221.)

Hearing began at 8:24 p.m. and halted at 8:27 p.m.

MOTION BY BEHR TO ACCEPT STAFF RECOMMENDATIONS WITH  
AMENDMENTS TO THOSE RECOMMENDATIONS TO INCLUDE CERTIFYING  
MITIGATED NEGATIVE DECLARATION 91-0251 AND ADOPTING THE  
MITIGATION MONITORING PROGRAM. Second by Hartley. Passed  
by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Pratt-not present, Behr-yea, Henderson-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-341: (O-92- ) CONTINUED TO OCTOBER 22, 1991

Proposal to approve the third amendment to Development  
Agreement with Catellus Development  
Corporation(formerly Santa Fe Land Improvement Company)  
and the City Council to provide: A process for the  
comprehensive redesign of the site bounded  
approximately by Ash Street, Kettner Boulevard, "E"  
Street and Pacific Highway and which includes  
realignment of the rail and trolley tracks to  
accommodate the Metropolitan Transit Development  
Board's Old Town Line, and For a revised schedule of  
performance for the first 350,000 square feet of  
development by Catellus Development Corporation.

THE SUBJECT PROPERTY IS DESCRIBED AS: Parcel A Lots 1 through 6,  
Block 294 of Middletown, according to map made by J. E. Jackson.  
Parcel AA A portion of Lot 7, Block 294 of Middletown, according  
to map made by J. E. Jackson. Parcel B

Lots 11 and 12, Block 295 of Middletown, according to map made by  
J. E. Jackson. Parcel C Lots 1 through 6, Block 295 and Lots 1,  
2, 11 and 12, Block 300 of Middletown, according to map made by  
J. E. Jackson, being a portion of the depot grounds together with  
a portion of "B" Street closed to public use, including that

certain tract of land commonly known as Summers and Tremain Tract. Parcel F All of Block 50 and those portions of Lots A through F inclusive in Block 51 of New San Diego, Map 456 by Gray and Johns and that portion of California Street lying between said Block 50 and 51.

Parcel G H

Parcel 1

Portion of Block 296 of Middletown, according to map made by J. E. Jackson and a portion of vacated "B" Street. Parcel 2 Portions of Block 299, Middletown, according to map made by J.E. Jackson and that tract of land commonly known as Gardner and Bleeker Tract, including a portion of "B" Street closed to public use.

Parcel I

Lots 7 and 8, Block 293, Middletown, according to map made by J. E. Jackson.

Parcel J

Parcel 1

Lots 1 to 5 inclusive and Lots 9 to 12 inclusive, Block 293, Middletown, according to map made by J. E. Jackson.

Parcel 2

Lot 6, Block 293, Middletown, according to map made by J. E. Jackson.

A more particular description is on file with the Centre City Development Corporation. (District-2.)

Introduction of an Ordinance approving the Third Amendment to Development Agreement.

FILE LOCATION:                   --

COUNCIL ACTION:               (Tape location: C074-078.)

MOTION BY HARTLEY TO CONTINUE THE ITEM TO OCTOBER 22, 1991, AS REQUESTED BY THE PLANNING DEPARTMENT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-not present, Behr-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-342:        RETURNED TO THE PLANNING DEPARTMENT

(Continued from the meetings of June 25, 1991, Item 338, July 30, 1991, Item 338, and August 6, 1991, Item S504, Subitems B through G, and the adjourned meeting of 10/1/91.)

Matters of the following appeals from the decision of the Historical Site Board in designating the following properties located in the Harborview/Little Italy area, in the Centre City Community Plan area as historical sites.

Residential Buildings

Appeal of Patricia Kent of Worley, Schwartz, Garfield & Rice for 1620 Union (June's Attorney Service).

- 2)        Appeal of Patricia Kent of Worley, Schwartz, Garfield & Rice for 1654 Union (Crowell House).
- 3)        Appeal of Patricia Kent of Worley, Schwartz, Garfield & Rice for 1632 State (Knoben rental).
- 4)        Appeal of Steve A. Morton for 1610 Union Millard rental).
- 5)        Appeal of Nancy G. Porter for 1642, 1644, 1646 and 1648 Union (Tarpley residence).
- 6)        Appeal of George W. Tower, M.A., J.D. for 1642 State (Dumas residence) and 1648 State (The Doll Factory).

(District-2.)

Subitem-A:    (R-92-        )

Adoption of a Resolution approving or denying the designation for the property located at 1620 Union Street with appropriate findings to support Council action.

Subitem-B:    (R-92-        )

Adoption of a Resolution approving or denying the designation for the property located at 1654 Union Street with appropriate findings to support Council action.

Subitem-C: (R-92- )

Adoption of a Resolution approving or denying the designation for the property located at 1632 State Street with appropriate findings to support Council action.

Subitem-D: (R-92- )

Adoption of a Resolution approving or denying the designation for the property located at 1610 Union Street with appropriate findings to support Council action.

Subitem-E: (R-92- )

Adoption of a Resolution approving or denying the designation for the property located at 1642, 1644, 1646, and 1648 Union Street with appropriate findings to support Council action.

Subitem-F: (R-92- )

Adoption of a Resolution approving or denying the designation for the property located at 1642 and 1648 State Street with appropriate findings to support Council action.

FILE LOCATION: GEN'L-Historical Site Board Appeals & Decisions, Etc.-Harvborview/Little Italy

COUNCIL ACTION: (Tape location: L173-355.)

Hearing began at 8:25 p.m. and halted at 8:37 p.m.

MOTION BY ROBERTS TO APPROVE STAFF RECOMMENDATIONS FOR ITEMS 342 AND 343 WITH COMPLETE MODIFICATIONS AS SUBMITTED IN THEIR SEPTEMBER 24, 1991 MEMO. APPROVE STAFF'S RECOMMENDATION ON THE MORATORIUM TO BE IN PLACE FOR A MAXIMUM OF ONE YEAR WITH NO ISSUANCE OF APPLICATIONS FOR PERMITS FOR PROJECTS THAT WOULD INVOLVE DEMOLITIONS, REMOVALS OR ALTERATIONS OF THE SUBJECT PROPERTIES DURING THAT YEAR WITH A REVIEW BY COUNCIL IN SIX MONTHS (APRIL 14, 1992). HOWEVER, STAFF IS DIRECTED TO BRING THE MATTER BACK TO COUNCIL IF A STALEMATE IS REACHED PRIOR TO THE COUNCIL'S SIX-MONTH REVIEW. DIRECT CCDC TO PARTICIPATE IN THE PROCESS. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-not present, Behr-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-343:           RETURNED TO THE PLANNING DEPARTMENT

(Continued from the meetings of June 25, 1991, Item 338, Subitems A, B, C, G, H and K, September 10, 1991, Item 336, and the adjourned meeting of October 1, 1991.)

Matters of the following appeals from the decision of the Historical Site Board in designating the following properties located in the Harborview/Little Italy area, in the Centre City Community Plan area as historical sites:

Commercial Buildings

- 1)    Appeal of Marie Burke Lia for 1702 Kettner Boulevard (Electrical Products Building).
- 2)    Appeal of Marie Burke Lia for 1917 to 1921 India Street (Milton E. Fintzelberg Commercial Building).

Residential Buildings

- 1)           Appeal of Brenda Mason Carter for 1557 Columbia (Ballatore residence).
- 2)           Appeal of Michael Sideman for 1762 and 1764 Columbia (Sideman/Littell office/residence).

(District-2.)

Subitem-A:   (R-92-    )

Adoption of a Resolution approving or denying the designation for the property located at 1702 Kettner Blvd. with appropriate findings to support Council action.

Subitem-B:   (R-92-    )

Adoption of a Resolution approving or denying the designation for the property located at 1917 to 1921 India Street with appropriate findings to support Council action.

Subitem-C:   (R-92-    )

Adoption of a Resolution approving or denying the designation for the property located at 1557 Columbia Street with appropriate findings to support Council action.

Subitem-D: (R-92- )

Adoption of a Resolution approving or denying the designation for the property located at 1762 and 1764 Columbia Street with appropriate findings to support Council action.

FILE LOCATION: GEN'L-Historical Site Board Appeals & Decisions, Etc.-Harborview/Little Italy

COUNCIL ACTION: (Tape location: L173-355.)

Hearing began at 8:25 p.m. and halted at 8:37 p.m.

MOTION BY ROBERTS TO APPROVE STAFF RECOMMENDATIONS FOR ITEMS 342 AND 343 WITH COMPLETE MODIFICATIONS AS SUBMITTED IN THEIR SEPTEMBER 24, 1991 MEMO. APPROVE STAFF'S RECOMMENDATION ON THE MORATORIUM TO BE IN PLACE FOR A MAXIMUM OF ONE YEAR WITH NO ISSUANCE OF APPLICATIONS FOR PERMITS FOR PROJECTS THAT WOULD INVOLVE DEMOLITIONS, REMOVALS OR ALTERATIONS OF THE SUBJECT PROPERTIES DURING THAT YEAR WITH A REVIEW BY COUNCIL IN SIX MONTHS (APRIL 14, 1992). HOWEVER, STAFF IS DIRECTED TO BRING THE MATTER BACK TO COUNCIL IF A STALEMATE IS REACHED PRIOR TO THE COUNCIL'S SIX-MONTH REVIEW. DIRECT CCDC TO PARTICIPATE IN THE PROCESS. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-not present, Behr-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-344: (R-92-488) CONTINUED TO OCTOBER 22, 1991

Rescinding Resolution R-275565, dated April 24, 1990; declaring that all final funding commitments of the Housing Trust Fund must be approved by the Housing Commission with recommendations from the Housing Trust Fund Board of Trustees.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: C125-130.)

MOTION BY FILNER TO CONTINUE THE ITEM TO OCTOBER 22, 1991, TO BE HEARD AS A COMPANION ITEM TO THE HOUSING AUTHORITY AGENDA. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-not present, Behr-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.



ITEM-345:

Four actions relative to the Revolving Loan Fund Program:

(See memorandum from SEDC President.)

Subitem-A: (R-92-440) ADOPTED AS RESOLUTION R-278825

Approving the Revolving Loan Fund Program for the Southeast Economic Development Corporation; amending the 1990 Community Development Block Grant (CDBG)

Program Fund 18524 Budget to transfer \$100,000 from the Incubator Project to the SEDC-Revolving Loan Fund Project; approving an amendment to the 1989 CDBG Program Fund 18525 by transferring \$59,000 from SEDC-Community Business Development Project to the SEDC-Revolving Loan Fund Project; authorizing the City Manager to execute loan agreements not to exceed \$25,000 per individual loan; authorizing the expenditure of \$320,000 from CDBG Fund 18525 and \$261,000 from CDBG Fund 18526, for the purpose of providing funds for the individual loans not to exceed \$25,000.

Subitem-B: (R-92-441) ADOPTED AS RESOLUTION R-278826

Authorizing the City Manager and the President of the Southeast Economic Development Corporation to execute an agreement for consulting services with the California Southern Small Business Development Corporation (CSSBDC); authorizing the expenditure of an amount not to exceed \$39,000 from Community Development Block Grant Fund 18526 for the above project.

Subitem-C: (R-92-442) ADOPTED AS RESOLUTION R-278827

Authorizing the Auditor and Comptroller to establish the Southeast Economic Development Corporation (SEDC) Revolving Loan Fund Program for the receipt of principal and interest payments related to the Revolving Loan Program; authorizing the Auditor and Comptroller to appropriate the Revolving Loan Program Processing Fee Income to the SEDC Community Business Development Project in CDBG Fund 18525 and CDBG Fund 18526.

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Subitem-D: (R-92-443) ADOPTED AS RESOLUTION R-278828

Authorizing the execution of a Trust Agreement with the California Southern Small Business Development Corporation (CSSBDC) for the purpose of administering the Revolving Loan Program.

Aud. Cert. 9200240.

FILE LOCATION: MEET CCONFY92-1, CONFY92-1

COUNCIL ACTION: (Tape location: E356-360.)

MOTION BY McCARTY TO ADOPT. Second by Mayor O'Connor.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-not present, Behr-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-S405: (R-92-523) ADOPTED AS RESOLUTION R-278780

A Resolution approved by the City Council in Closed Session on Tuesday, August 6, 1991 by the following vote: Wolfsheimer-nay; Roberts-yea; Hartley-yea; Pratt-not present; Behr-yea; Henderson-yea; McCarty-not present; Filner-not present; Mayor-yea.

Authorizing the City Manager to pay the total sum of \$1,000,000 in the settlement of each and every claim against the City, its agents and employees, resulting from the wrongful death claim of Carol Bolton, for plaintiffs Megan and Jenna Bolton (Superior Court Case No. 627038, Megan Bolton, et al., v. City of San Diego, et al.); authorizing the City Auditor and Comptroller to issue three checks as follows: 1. \$569,500 made payable to Prudential Property & Casualty Co.; 2. \$500 made payable to Prudential Property & Casualty Co.; 3. \$430,000 made payable to C. Bradley Hallen, their attorney, and John Joseph Mottran guardian ad litem for Megan and Jenna Bolton.

CITY MANAGER SUPPORTING INFORMATION: This constitutes the complete and final settlement of the wrongful death claim of Carol Bolton, for plaintiffs Megan and Jenna Bolton, as a result of the incident on October 11, 1989.

Aud. Cert. 9200263.

WU-RM-92-055.

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FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A194-199.)

MOTION BY HENDERSON TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-nay, Roberts-yea, Hartley-yea, Pratt-not present, Behr-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-500: (R-92-435) ADOPTED AS RESOLUTION R-278829

Considering formation of the San Diego County Abandoned Vehicle Abatement Service Authority and the imposition of a \$1 vehicle registration fee increase to fund the Authority.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: H405-447;L360-437.)

MOTION BY ROBERTS TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-not present, Behr-nay, Henderson-nay, McCarty-nay, Filner-yea, Mayor O'Connor-yea.

**NON-DOCKET ITEMS:**

ITEM-ND-1: (R-92-528) ADOPTED AS RESOLUTION R-278830

Designating Mayor O'Connor and Council Member Wolfsheimer as the voting representative and alternate to the Business Session of the League of California Cities Annual Conference held on October 13-16, 1991, in San Francisco.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C062-072.)

MOTION BY FILNER TO ACCEPT THE ITEM FOR CONSIDERATION. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-not present, Behr-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

MOTION BY FILNER TO ADOPT, APPROVING THE DESIGNATION. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-not

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present, Behr-yea, Henderson-yea, McCarty-yea, Filner-yea,  
Mayor O'Connor-yea.

**COUNCIL COMMENT:**

None.

**PUBLIC COMMENT:**

None.

**ADJOURNMENT:**

The meeting was adjourned by Mayor O'Connor at 8:43 p.m.

**FILE LOCATION:** MINUTES

**COUNCIL ACTION:** (Tape location: L438-442).